

REMARKS

Claims 1-4 and 9-14 are pending in this application. By this Amendment, claims 2 and 10 are amended. No new matter is added. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

The Office Action objects to the drawings as failing to show every feature of the subject matter of the pending claims. Claims 2 and 10 have been amended to obviate this objection. Para. [0042] of the Applicants' specification discloses segmenting the gray scale image data into high spatial frequency image data and low spatial frequency image data. Para. [0045] - [0049] disclosure dividing the gray scale image data into two planes and further segmenting the block into one of the two recited planes.

Applicants' respectfully request reconsideration and withdrawal of the objection to the drawings.

The Office Action rejects claims 2 and 10 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 2 and 10 have been amended to obviate this rejection. Accordingly, Applicants' respectfully request reconsideration and withdrawal of the rejection of claims 2 and 10.

The Office Action rejects claims 1, 4, 9 and 12-14 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,917,952 to Noh in view of U.S. Patent No. 6,400,844 to Fan et al. (hereinafter "Fan"). Additionally, the Office Action rejects claims 2 and 10 under 35 U.S.C. §103(a) as being unpatentable over Noh in view of Fan, and further in view of U.S. Patent Application Publication No. 2002/0076103 to Lin et al. (hereinafter "Lin"). Applicants respectfully traverse these rejections.

The Office Action concedes that Noh does not teach segmenting the converted gray scale image data into a first plane having high spatial frequency gray scale image data and a second plane having low spatial frequency gray scale image data, as recited in claim 1. The

Office Action asserts that Fan teaches this feature. However, the Office Action provides no articulated reason why the claimed invention would have been obvious. The Office Action only asserts what may be considered to correspond to the recited features, but provides no viable rationale as to why the claims would be rendered obvious.

MPEP §2142 states "[I]f the Examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness." Applicants' respectfully submit that the Office Action fails to assert a *prima facie* case of obviousness as set forth in the MPEP.

For at least the above reasons, the Office Action fails to assert a *prima facie* case of obviousness with respect to the combination of features positively recited in pending independent claims 1 and 9. Claims 2-4 and 10-14 are allowable at least for their dependence on the allowable independent claims as enumerated above, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the pending objections and rejections, as discussed above and enumerated in the Office Action, are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-4 and 9-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: July 6, 2008

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